

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE CELSIUS NETWORK LLC

ORDER

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS,

Appellant,

-against-

CELSIUS SPV INVESTORS, LP, et al.,

Appellees.

Case No. 1:23-cv-02882 (JLR)

IMMANUEL J. HERRMANN and DANIEL A.
FRISHBERG,

Appellants,

-against-

COMMUNITY FIRST PARTNERS, LLC and
CELSIUS SPV INVESTORS, LP, et al.,

Appellees.

Case No. 1:23-cv-05570 (JLR)

JENNIFER L. ROCHON, United States District Judge:

The Court is in receipt of a joint letter from the parties filed on July 7, 2023. ECF No.

21. In light of the parties' consent, the Court exercises its discretion to consolidate the related bankruptcy appeals, Case No. 1:23-cv-05570 (JLR) (the "Rule 60 Appeal") with Case No. 1:23-cv-02882 (JLR) (the "Terms of Use Appeal"). Unless otherwise ordered by this Court, future filings in the consolidated case shall be filed and docketed only under docket number 23-cv-02882 (JLR).

IT IS HEREBY ORDERED that the actions shall be referred to collectively as *In re Celsius Network, LLC*, Case No. 1:23-cv-02882 (JLR). Every pleading filed in the consolidated action under 23-cv-02882 (JLR) shall bear the following caption:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE CELSIUS NETWORK LLC

Case No. 1:23-cv-02882 (JLR)

IT IS FURTHER ORDERED that, in light of the parties' consent, the briefing deadlines in both the Rule 60 Appeal and the Terms of Use Appeal are held in abeyance until the Bankruptcy Court acts on the proposed settlement. IT IS FURTHER ORDERED that the parties shall provide a joint status update no later than either seven (7) days after the Bankruptcy Court acts on the proposed settlement, or **July 31, 2023**, whichever date is earliest. That update shall propose a briefing schedule with respect to the remaining issues on appeal.

Dated: July 10, 2023
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge